

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

LAWRENCE (LARRY) W. SINCLAIR)	
Plaintiff, Pro Se)	
)	Case No. 5:23-CV-00109
VS)	
)	
BRIAN MARK KRASSENSTEIN, et al)	
<u>Defendants.</u>)	

NOTICE OF APPEAL AND PERMISSION TO APPEAL IN FORMA PAUPRIS

PLEASE TAKE NOTICE that Lawrence (Larry) W. Sinclair, Plaintiff, pro se, hereby appeal to the United States Court of Appeals for the Fifth Circuit from:

1. the United States District Court for the Southern District of Texas Laredo Division; Honorable Marina Garcia Marmolejo, District Court Judge;
2. Court's Order of August 20, 2024 [ECF No. 62], granting Defendants Motion to Dismiss Pursuant to FRCP 12 (b) 6
3. Specific findings by the Court stated and set forth in said order which lack proper legal basis or facts to support there finding. Including but not limited to the Courts finding as a matter of fact:

- a. *“Here, the Court will treat Mr. Sinclair as a limited-purpose public figure for the following reasons: (1) Mr. Sinclair voluntarily appeared on a widely-viewed program to discuss his claims about President Obama, which received widespread media attention in 2008, and the controversy at issue pertains to those same allegations;”*
- b. *“the alleged defamation flows from media defendants discussing Mr. Sinclair’s public appearance”*
- c. *However, Mr. Sinclair and Defendants agree that there was significant media coverage regarding Mr. Sinclair’s allegations and criminal history, both in 2008...”*
- d. *“However, Defendants respond that there are other media reports “about which Plaintiff expressed concern in his complaint” which show that he has additional recorded arrests in Colorado in the 1980s for various charges including credit card fraud and forgery, as well as more recent charges from 2007 and 2008 (Dkt. Nos. 21 at 18; 21-1 at 4)”*

Plaintiff further moves for leave to file Appeal in Forma Paupris without requirement to pay fees as states as grounds therefore the following:

1. Plaintiff is a 62 year old with no income of any kind whatsoever
2. Plaintiff has no financial accounts where any funds of any kind are deposited with exception of \$20 dollars at time of this filing in a PayPal account;
3. Plaintiff has no real or personal property of any value other than his computer and printer, the computer being 12 years old itself. And plaintiff recently had to sell his vehicle simply to pay rent and utilities.

4. Plaintiff is medically disabled and has been since 2002 and certified as such by Social Security Administration's own medical representatives.
5. Plaintiffs appeal is made in good faith and based solely on findings by the US District Court which have been made not on evidence but on mere claims and repeated false claims made in motion which fail to provide any factual basis for the Court to enter as findings.
6. Plaintiff swears and affirms under the penalty of perjury the foregoing is true and correct to best of his personal knowledge.

Respectfully Submitted this 20th day of August 2024 in Laredo, Texas.

Respectfully Submitted,
Lawrence W Sinclair
Lawrence (Larry) W. Sinclair
Plaintiff, Pro Se
1520 Sherman Street
Laredo, Texas 78040
Email: lsnewsgroup@gmail.com

CERTIFICATE OF SERVICE

I Lawrence (Larry) W. Sinclair HEREBY certify that a true and correct copy of the foregoing **NOTICE OF APPEAL** has been furnished electronically by Courts ECF-CM system to Charles A. Bennett cbennett@bennettlegal.com Counsel for Defendants this 20th day of August, 2024.

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